

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

6

USCA NO. \_\_\_\_\_

SDNY NO. 07cv 5876

JUDGE: DAB

DATE: July 24, 2007

Pettus

-v-

County Clerk's Office, et al

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME) THOMAS PISARCZYK  
FIRM APPEALS SECTION  
ADDRESS UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NY  
500 PEARL STREET, NEW YORK, NEW YORK 10007  
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DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS

DOC#

Clerk's Certificate

See Attached List of Numbered Documents

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 24th Day of July, 2007.

**United States District Court for  
the Southern District of New York**

Date: July 24, 2007  
U.S.C.A. # \_\_\_\_\_  
U.S.D.C. # 07cv5876  
D.C. JUDGE DAB

\_\_\_\_\_  
*Pettus*

-V-

\_\_\_\_\_  
*County Clerk's Office, et al*

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
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_____	_____
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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 24th Day of July In this year of our Lord, Two Thousand and Seven, and the Independence of the United States this 232<sup>nd</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

*[Signature]*  
Deputy Clerk

APPEAL

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-05876-DAB**  
**Internal Use Only**

Pettus v. County Clerk's Office et al  
Assigned to: Judge Deborah A. Batts  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/21/2007  
Jury Demand: Plaintiff  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
06/20/2007	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by James Pettus.(mbe) (Entered: 07/03/2007)
06/20/2007	<u>2</u>	COMPLAINT against Kings County, John Does("ALL" Kings County), Jane Does("ALL" Kings County), Chief Clerk, County Clerk's Office, Clerk, John Doe, Jane Does("ALL" New York County), Laura Johnson Liberman Cohen, John Does("ALL" New York County). Document filed by James Pettus.(mbe) (Entered: 07/03/2007)
06/21/2007		Magistrate Judge Henry B. Pitman is so designated. (mbe) (Entered: 07/03/2007)
06/21/2007	<u>3</u>	ORDER OF DISMISSAL I direct the Clerk of Court to assign a docket number to this action, but dismiss the complaint for the following reasons. Accordingly, the complaint is dismissed for failure to allege that plaintiff is under imminent danger of serious physical injury. Plaintiff continues to be barred from filing any civil action under the forma pauperis statute while he is a prisoner, unless his allegations bring his complaint within the terms of the statute's "imminent danger" exception. I certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Deborah A. Batts on 6/21/2007) (mbe) (Entered: 07/03/2007)
06/21/2007	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed for failure to allege that plaintiff is under imminent danger of serious physical injury. 28 U.S.C. 1915(g). Plaintiff continues to be barred from filing any civil action under the in forma pauperis statute while he is a prisoner, unless his allegations bring his complaint within the term of the statute's "imminent danger" exception. I certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 6/21/2007) (mbe) (Entered: 07/03/2007)
07/06/2007	<u>5</u>	NOTICE OF APPEAL from [4] Judgment - Sua Sponte (Complaint). Document filed by James Pettus. (tp) (Entered: 07/20/2007)
07/06/2007		Appeal Remark as to [5] Notice of Appeal filed by James Pettus. \$455.00 APPEAL FEE DUE. IFP REVOKED 6/21/07. (tp) (Entered: 07/20/2007)
07/20/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [5] Notice of Appeal. (tp) (Entered: 07/20/2007)
07/20/2007		Transmission of Notice of Appeal to the District Judge re: [5] Notice of Appeal. (tp) (Entered: 07/20/2007)